

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 81 of 1994

in

SPECIAL CIVIL APPLICATION No 10727 of 1993

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI

and

Hon'ble MR.JUSTICE J.M.PANCHAL

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

NATIONAL TEXTILE CORPORATION (GUJARAT) LIMITED

Versus

BALBIR VASHISHTA

Appearance:

MR BR GUPTA for Appellant

NOTICE SERVED for Respondent No. 1

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI

and

MR.JUSTICE J.M.PANCHAL

Date of decision:3.7.2000

C.A.V.JUDGMENT : (Per: Panchal,J.)

The initiation of departmental inquiry as well as suspension from service were challenged by the respondent in Special Civil Application No. 10727/93. The learned Single Judge had stayed implementation and execution of suspension order, but had not stayed departmental inquiry. Against the order of the learned Single Judge staying operation of the suspension order, the appellant - Corporation has preferred this appeal.

It may be stated that as stay of departmental inquiry was not granted, departmental inquiry was conducted against the respondent and at the conclusion thereof, he was dismissed from service, which was challenged by him in Special Civil Application No. 1922/96. We may state that Special Civil Application No. 1922/96 has been allowed and Letters Patent Appeal No.68/2000 filed against the judgment of the learned Single Judge rendered in Special Civil Application No.1922/96 is also dismissed. Therefore, in our view, this appeal has become infructuous and deserves to be disposed of accordingly.

For the above stated reasons, the appeal fails and is dismissed as having become infructuous. There shall be no orders as to costs.

(D.M.Dharmadhikari, C.J.)

(J.M.Panchal, J.)